

REMARKS/ARGUMENTS

Appropriate amendments have been made to traverse the Examiners objections to the form of the claims.

Claims 1-23 stand rejected under 35 U.S.C. 103(a).

Claims 1 and 21-23 are the only independent claims in the application. Each of these claims includes a limitation neither disclosed nor made obvious in view of the prior art.

For example, each independent claim includes a limitation that a “level of sameness is derived for the particular email message from a non-zero weighting and combination of the outputs of at least two of the plurality of modules”.

The prior office action offers Routhwaite to show “using a plurality of modules to determine the level of sameness.” Office Action at page 4. However, Routhwaite only compares a second filter to a “seed” filter. If the second filter performs at least as good or better then the second filter is used in place of the seed filter. “The subject invention provides for a system and method that facilitates employment of an available filter (e.g., seed filter or new filter) best suited to identify junk/spam messages.” Rounthwaite at col. 2, lines 31-34. Thus, there is never any analysis performed whereby “a non-zero weighting and combination of the outputs of at least two of the plurality of modules” are used. Rounthwaite compares one filter against the other and then chooses one filter. The limitation of “non-zero weighting” removes the possibility that only one of the two modules’ outputs will be used by having a zero value for a weight.

Rounthwaite certainly does not teach any combining of the outputs of its two filters for purposes of a “sameness” determination and arguably does not teach any weighting, either. Although the Office Action at page 5 states that “Rounthwaite inherently teaches adjusting a weighting (routing factor) of at least one module in response to comparing performance levels”, it is unclear how the routing is using “weighting” since it either routes to one filter or the other. It should be pointed out that the term “routing factor” does not appear in Routhwaite’s specification and no specific text or Figure was referenced so Applicant is not able to make a more specific argument about this issue.

Applicant does note that Rounthwaite discusses “weighting” at col. 10, line 65 through col. 11, line 21. However, this weighting is not a “weighting of the outputs of at least

two of the plurality of modules”. Rather, Rounthwaite’s weighting is to weight parameters by a user for purposes of applying the weights to one filter’s performance in order to compare that filter to the other.

Applicant respectfully submits that the present claims are in condition for allowance and an early Notice of Allowance is earnestly sought. The undersigned may be contacted at the telephone number below at the Examiner’s convenience if it would help in the prosecution of this matter.

Respectfully submitted,

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Attachments